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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,608	03/23/2001	Richard A. Hill	12110	7180
7590	01/22/2004		EXAMINER	
ORUM & ROTH 53 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3606			ARANI, TAGHI T	
			ART UNIT	PAPER NUMBER
			2131	<i>b</i>
DATE MAILED: 01/22/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/816,608	HILL ET AL.
	Examiner	Art Unit
	Taghi T. Arani	2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 June 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-51 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 31-35 is/are allowed.
- 6) Claim(s) 1-12,22-30 and 36-50 is/are rejected.
- 7) Claim(s) 13-21,42 and 51 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-5~~2~~ were pending for examination.

The Examiner requests that a clean version of claims 18-19 and 20-21 be provided (Preliminary Amendment filed 9/13/2001) for proper entry. No clean versions of these claims have been provided.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-12 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Bridgelall, US Pat. Appl. No. 2002/0008143, filed Jul. 2001.

As per claims 1, 4-6, Bridgelall is directed to a bar code scanner/RFID circuit that combines the functionality of a bar code scanner and an RFID circuit, see page 1, paragraph 8.

Bridgelall's bar code scanner/RFID circuit can be formed to fit accepted sizes for laser scan engine available in the industry, see page 1, paragraphs 8-11. The bar code scanner/RFID circuit includes a processing unit, a bar code scanner circuit, an RFID circuit, a second processing unit and a data acquisition circuit.

The data acquisition circuit of Bridgelall includes suitable circuitry for converting the data signal into an acceptable analog signal and then into a digital signal-e.g. a digitizer analog-to-digital converter, see page 2, paragraph 20.

Bridgelall's bar code scanner/RFID circuit includes RFID buffer (i.e. memory storage) , see Fig. 1, element 116.

Bridgelall further teaches a single 8-pin interface between a central processing unit and the bar code scan/RFID circuitry, see page 2, paragraph 22. The eight pins are reserved for eight functions including one for power source.

Bridgelall's bar code scanner/RFID circuit is operable as a receiver and transmitter, see page 2, paragraphs 27-30, see also Fig. 1, elements 126 and 136.

As per claims 2 and 3, Bridgelall's teachings clearly suggest an identification signal (such as electronic serial number) being processed either by the bar code scanner circuit or RFID circuit once received by a central processing unit, see page 3, paragraphs 0038 and 0039.

As per claims 7 and 10, Bridgelall's teaching clearly suggests encryption capability of the bar code scanner/RFID circuitry for encrypting and decrypting machine readable data decoded by the processors of the circuit, see paragraph 33 and 39 and that the encryption is configurable by the circuit that scans and reads simultaneously from both types of identifies.

As per claims 11-12, the bar code scanner circuit of Bridgelall's bar code scanner/RFID circuit includes laser propagation device (i.e. an emitter) and laser detection device (i.e. a sensor) to read a tag as a bar code, see page 2, paragraph 25.

As per claim 22, Bridgelall teaches an actuator on a hand-held device with positions available to the user for bar code scan, RFID scan and simultaneous bar cod/RFID setting, see page 2, paragraph 24. When a user instructs the central processing unit of the bar code scanner/RFID circuit to read an identification tag (i.e. a bar code tag, an RF tag or both) , a central processing unit provides a data acquisition command to digital microprocessor.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Claims 23 , 24 and 30,36-38, 40, 41,43-44, 46-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Nambudiri et al., US Pat. No. 6,640,214 filed Jan 1999.

As per claims 23 and 24, Nambudiri discloses a home cradle which includes a home portable terminal-receiving station (i.e. a data transfer apparatus) and an associated home data interface (i.e. a data transfer means) to interface with a two-way data interface of a portable terminal (i.e. a data acquisition device), see col. 6, lines 7-20.

Nambudiri further teaches that the home cradle includes a transfer data circuit (i.e. a connection means) coupled to the home data interface so as to engage in data exchange with an optical interface, and is also configured for data exchange with a host modem, see col. 6, lines 21-27, see also Fig. 1, numeral elements.

Nambudiri teaches that that the data interface can be any type of suitable interface such as optical, electrical plug, radiophone, inductive transfer, and the like, and similarly any type of interface can be employed for the data interface of the portable terminal, see col. 8, lines 1-22.

As per claim 30, Nambudiri's home cradle and kiosk cradle are integrated into a host computer, see col. 5, line 59 through col. 6, and line 5.

As per claim 36-38 and 46-48, Nambudiri teaches a portable terminal that can function as an electronic-key (see col. 7, lines 36-54) which includes a scanning device for reading bar code , a scanner decoder coupled to the scanning device , a communication interface/memory board coupled to the scanner decoder and a main processing board. Nambudiri's scanning device

generates digital bar code pattern and that the scanner decoder interprets the Digital Bar Code Pattern (DBP), see col. 15, lines 39 through col. 16, line 37. Nambudiri's terminal can include a suitable power source, see col. 8, line 61-65.

Nambudiri further teaches an initialization procedure carried on the portable terminal by swiping a special bar code to set an appropriate frequency (i.e. re-configuring) for wireless communication. That is, the teaching of Nambudiri clearly suggests outputting a stored key sequence representing an appropriate frequency for the portable terminal used as an electronic key when entering a shopping establishment and that the portable terminal optionally include a wireless transceiver coupled to a memory and configured for wireless communication (such as an RFID) with at least one optional wireless multi-access point, see col. 6, line 5 through col. 7, line 7.

Nambudiri's portable scanner includes the two-way terminal data interface which include a light emitting diode (i.e. an emitter) and a photodetector, employed in a manner well-known in other optical communication systems, see col. 9, lines 26-44.

Nambudiri's portable terminal (or smart toy) is suitable for combined used in both a home of a user and at least one shopping establishment, see col. 5, lines 35-40, col. 6, lines 28-30.

As per claims 40 and 41, Nambudiri's portable terminal can function as an "electronic key" which includes "intrinsic identifying indicia" (i.e. access right) to identify the bearer to the host computer as an authorized user, see col. 7, lines 36-54.

Nambudiri further teaches that such indicia can include a unique identification code (i.e. a serial number) which can be “ burned in” to a circuitry (e.g. ROM , PROM, EPROM) of the portable terminal and that the user receives authorized possession of the portable terminal.

As per claim 43, Nambudiri teaches a system for acquiring information which includes a portable terminal (i.e. a mobile data acquisition apparatus) which includes a two –way data interface such as a laser or CCD bar code reader (i.e. a scanning means for reading a machine readable symbology) which is configured to read bar codes associated with items (i.e. objects) . The portable terminal also includes a memory, see col. 6, lines 28-55. Nambudiri’s two-way data interface of the portable terminal is configured for data exchange with Kiosk data interface when the portable terminal is received in the kiosk portable terminal-receiving station.

Nambudiri discloses a home cradle which includes a home portable terminal-receiving station (i.e. a data transfer apparatus) and an associated home data interface (i.e. a data transfer means) to interface with a two-way data interface of a portable terminal (i.e. a data acquisition device), see col. 6, lines 7-20.

Nambudiri further teaches that the home cradle includes a transfer data circuit (i.e. a connection means) coupled to the home data interface so as to engage in data exchange with an optical interface, and is also configured for data exchange with a host modem (i.e. a remote information source associated with the bar codes) , see col. 6, lines 21-27.

Nambudiri further teaches downloading the bar codes associated wit shopping related items to the host computer (i.e. a remote information source) and storing the data in a shopping list database, see col. 7, lines 17-22, see also col. 10, lines 19-59.

As per claim 44, Nambudiri's portable terminal includes a scanning device for reading bar code , a scanner decoder coupled to the scanning device , a communication interface/memory board coupled to the scanner decoder and a main processing board. Nambudiri's scanning device generates digital bar code pattern and that the scanner decoder interprets the Digital Bar Code Pattern (DBP) and the start of Scan, see col. 15, lines 39 through col. 16, line 37. Nambudiri's terminal can include a suitable power source, see col. 8, line 61-65.

Claims 49-51 and 23-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hudrick, US Pat. No. 6,536,666 filed Jul. 2000.

Hudrick is directed to a keyboard wedge bar code scanner (i.e. a data acquisition device) configuration wherein a bar code scanner is connected to a keyboard controller port of a personal computer via interconnection cable (i.e. the wedge is connected between a keyboard and the computer), see col. 5, lines 45-55.

Hudrick's enhanced bar code scanner selectively inhibits the keyboard through a switching mechanism, see col. 6, lines 6-16. That is, while the computer keyboard is inhibited by digital switch , the enhanced bar code scanner automatically detects the actual status of one or more indicators on the computer keyboard and that these indicator is provided in the form of one or more LED lamps indicative of the status of the Caps-Lock, NUM-lock, and Scroll-lock keys, see col. 7, lines 52-67.

Hudrick wedge (i.e. housing having data acquisition device mating cavity) is integrated into a host computer keyboard (i.e. a component of host computer), see col. 5, lines 45-55.

Allowable Subject Matter

Claims 13-21, 42 and 52 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 31-35 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from examiner should be directed to Taghi Arani, whose telephone number is (703) 305-4274. The examiner can normally be reached Monday through Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (703) 305-9648. The Fax numbers for the organization where this application is assigned is:

(703) 872-9306

Taghi Arani

Patent Examiner

Emmanuel L. Moise
EMMANUEL L. MOISE
PRIMARY EXAMINER